

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

RICHARD VADEN

PETITIONER

V.

CIVIL ACTION NO.: 4:12-CV-192- HTW-LRA

WARDEN TIMOTHY OUTLAW, ET AL

RESPONDENTS

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CASE**

This matter comes before this court on the respondents' motion to dismiss [docket no. 5]; the Report and Recommendation of United States Magistrate Judge Linda Anderson [docket no. 18], recommending this court grant the motion to dismiss; and the objections filed by the petitioner [docket no. 19]. Judge Anderson, in the Report and Recommendation, recommends that this court dismiss this lawsuit because petitioner has failed to comply with the one-year time limit to file an application for a writ of habeas corpus, codified at Title 28 U.S.C. § 2244(d). This court, having given full consideration to the aforesaid objection, finds the same not well taken. Therefore, the Report and Recommendation of the United States Magistrate Judge is hereby adopted as the order of this court.

IT IS THEREFORE ORDERED that this case is dismissed for the reasons set out in the Report and Recommendation of the United States Magistrate Judge.

SO ORDERED AND ADJUDGED, this the 18th day of July, 2013.

**/s/ Henry T. Wingate
UNITED STATES DISTRICT JUDGE**